

REMARKS

Applicant has carefully reviewed the Examiner's March 16, 2005, Official Action and respectfully requests reconsideration based on the above amendments and the following comments.

Claims 1-10 remain in the application for consideration.

In response to the Examiner's objection to the drawings and claims, Applicant has amended page 3 of the specification to identify the description of element 17 shown in the drawings, and has amended claims 1 and 6 substantially as suggested by the Examiner. Applicant respectfully submits that these objections have now been overcome.

The Examiner has further rejected claims 1-10 under 35 U.S.C. §103(a) as being unpatentable over Ichinose '618 in view of Mark '178 and Hamada '160. Applicant respectfully traverses this rejection for the following reasons.

The Examiner indicates that Ichinose fails to disclose that at the rear side portion of the front leg part, the leg part has a reinforcing large diameter part that has a larger diameter than the one defined as the latch engaging part and that the latch has a recess that engages the latch engaging part.

The Examiner maintains that it would be obvious to provide Ichinose with a reinforcing large diameter part as claimed as taught by Mark and that Hamada teaches a latch having a recess that engages a first leg as claimed by Applicant.

Even assuming the obviousness of the Examiner's suggested prior art combination (not admitted), there is no teaching whatever in any of the cited prior art that if the first leg of Ichinose was modified to have a large diameter, that the latch of Hamada would necessarily engage its first leg above the large diameter portion as claimed by Applicant rather than the large diameter portion. Hamada teaches only a latch engaging a leg of a striker which is perpendicular to the base of the striker, and Mark teaches engagement of the latch to engaging portions 22 rather than a specific part of the first leg as claimed. None of the prior art comprising the cited combination teach a latch which engages a latch engaging part in a plane of rotation spaced apart from a reinforced large diameter part as claimed.

Applicant further does not agree that it would be obvious to provide Ichinose with a reinforcing large diameter part because the Mark striker is so dramatically different from that of Ichinose that the skilled artisan would not address it at all. Thus:

- (1) The first and second leg parts of Mark are not shown or taught to have the same shape;
- (2) The first and second leg parts of Mark are not shown or taught to be perpendicular to the plane of its metal base which greatly increases the cost of manufacturing the Mark striker;
- (3) The Mark latch engages bolt engaging portion 22 and not either limb 18 or 20; and
- (4) Limbs 18 and 20 of Mark are bent in relation to base 12 and there is nothing whatever in the language of Mark which teaches or suggests otherwise. While the Mark limbs could be made parallel and straight as indicated in Mark, they still are engaged at an angle to base 12 as shown in the drawings.

Accordingly, applicant does not agree that the combination of Ichinose and Mark would be obvious to the skilled artisan, especially in light of the indication in the last full paragraph of page 3 of Mark that the different features of Mark are intended to permit the making of strikers of complex shapes. The strikers resulting from the Examiner's suggested combination of references does not result in a "complex shape" similar to that shown in the Mark drawings. Clearly, the thickening of the limbs of Mark and the other

App'n. No. 19/032,328
Amdt. dated September 16, 2005
Reply to Office Action of March 16, 2005

features entailed by such thickening is limited to the costly manufacture of the specially shaped strikers identified in Mark. There is no teaching of combining these features with Ichinose and Hamada other than Applicant's disclosure which becomes apparent when recognizing that the Examiner's cited combination, even if appropriate, still does not teach the claimed relationship of the latch and striker.

If the Examiner continues to believe that this application is not in condition for allowance, Applicant would appreciate a telephone conference to determine how the application could be amended to overcome the Examiner's position.

Applicant submits that the invention is new and unobvious and not disclosed by the cited art. Accordingly, Applicant respectfully solicits the Examiner's early review and issuance of this application.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By



Norman J. Latker

Registration No. 19,963

NJL:ma
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
G:\BN\N\1112\Sawajiri2\PTO\Amend-168sept05.doc